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Cc: Kemmerer, John[KEMMERER.JOHN@EPA.GOV]
From: Vendlinski, Tim
Sent: Thur 3/26/2015 6:27:49 PM
Subject: Record of Communication - Mike Jewell (Sacramento Corps District) BDCP

Mike called me this morning to ask what Jared wished to discuss next week with General Toy.

I wasn't aware of a planned meeting, so I'm wondering if any of you are working to prepare Jared with talking points, etc.

Mike noted the "marginalization" of EPA by DWR, and said DWR had "boxed in" all the federal agencies.

He said the federal family needs to rebound from this balkanization and work as a team.

Mike views the change in direction for the BDCP as a "reset" that would benefit from a greater level of formal involvement by EPA.

That means participating formally in the interagency, technical "Special Section 7 Team" staged at 650 Capitol Mall (hosted by Jason Phelps, USBR), and the "Executive Team" convened for 2 hours each Wednesday morning (hosted by Will Stelle).

Apparently, Mr. Stelle just reached out to Col. Farrell and invited him to participate in these Executive meetings.

Mike also suggested that we re-work the bi-weekly federal coordination call (hosted by Ryan Wulff, NMFS) to be a place where managers and staff can focus on specific tasks related to the BDCP, resolve issues, consider schedules and milestones, etc. Right now, those calls are mostly used for information sharing.

For the new project, USBR is serving as the lead agency for the DEIR and the recirculated SDEIS, and the Corps is serving as a cooperating agency.

DOI (Letty B. and John Bezdek) have said they would like to see the permits and authorizations formulated for the project by the end of 2015, but the Corps answered that this was completely unrealistic because DWR/DOI is nowhere near the design threshold for permit issuance. Mike said FWS and NMFS have apparently volunteered to write the B.O.s by the end of 2016, but that

also seems completely unrealistic given the primitive status of project design.

Mike and I touched upon to more key elements:

- He welcomed a revival of the idea to adapt the NEPA/404 methodology for transportation projects to this infrastructure project; and
- He welcomed EPA's ongoing participation in writing a letter to DWR to resolve disagreements around the aquatic resource assessment/wetlands JD for the project.

Re: the first point, I relayed Tom Hagler's strong caution about reinvesting in the NEPA/404 process after the good work he and Erin did was wasted by DWR and their consultants.

On the second point, he said he would follow-up with M. Nepstad to learn the status of the letter.

He hinted that the Corps has already spent too much time with DWR on the assessment/JD, and the Corps would make a definitive JD call regardless of a potential backlash from the State.

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